

Notice of Allowability

Application No.

09/649,559

Examiner

Curtis B. Odom

Applicant(s)

PALERMO ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amdt filed on 12/3/2004.
2. ☒ The allowed claim(s) is/are 1-19 and 21, which have been renumbered claims 1-20.
3. ☒ The drawings filed on 03 December 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Lowell W. Gresham on March 9, 2005

The application has been amended as follows:

Claim 19 (currently amended). A radio frequency (RF) transmitter for use in a communication system in which said RF transmitter transmits first and second communication signals to one or more receivers in accordance with one or more communication protocols, said transmitter comprising:

a first software-programmable upstream module programmed to apply first digital communication modulation functions to a first input signal and to generate a first processed signal which exhibits a first transport delay relative to said first input signal, said first upstream module having a first upstream connector and being configured to mingle first programmable transmission parameters with said first processed signal to form a first compound signal which passes through said first upstream connector;

a second software-programmable upstream module programmed to apply second digital communication modulation functions to a second input signal and to generate a second processed signal which exhibits a second transport delay relative to said second

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input signal, said second upstream module having a second upstream connector and being configured to mingle second programmable transmission parameters with said second processed signal to form a second compound signal which passes through said second upstream connector;

an intra-transmitter signal transporter having a first input coupled to said first connector and a second input coupled to said second connector, said intra-transmitter signal transporter being configured to respectively transport said first and second compound signals to first and second outputs of said intra-transmitter signal transporter, said first and second compound signals being transported with varying amounts of delay;

a first downstream module having a first downstream connector coupled to said first output of said intra-transmitter signal transporter, said first downstream module being configured to extract said first programmable transmission parameters from said first compound signal to recover said first processed signal and to convert said first processed signal into said first communication signal configured in accordance with said first programmable transmission parameters; and

a second downstream module having a second downstream connector coupled to said second output of said intra-transmitter signal transporter, said second downstream module being configured to extract said second programmable transmission parameters from said second compound signal to recover said second processed signal and to convert said second processed signal into said second communication signal configured in accordance with said second programmable transmission parameters.

Cancel claim 20.

EXAMINER'S STATEMENTS OF REASONS FOR ALLOWANCE

2. The following is an examiner's statement of reasons for allowance: Claims 1-19 and 21, which have been renumbered claims 1-20, respectively are allowable over prior art references because related references do not disclose a transmitter including a module for receiving a signal and combining with transmission parameters to form a combined signal and transporting the combined signal to a module in the transmitter which extracts the transmission parameters and converts the signal into a communication signal based on the transmission parameters..

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

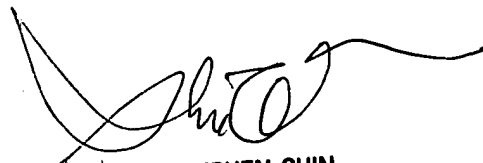
3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Curtis B. Odom whose telephone number is 571-272-3046. The examiner can normally be reached on Monday- Friday, 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Chin can be reached on 571-272-3056. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Curtis Odom
March 9, 2005



STEPHEN CHIN
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